

1 JUDGE CHACHKIN: Bureau Exhibit 4 is objected to? I  
2 will receive Bureau Exhibit 4.

3 (Whereupon, the document previously  
4 marked for identification as Bureau  
5 Exhibit 4 was received into  
6 evidence.)

7 JUDGE CHACHKIN: Bureau Exhibit 13, which is Form,  
8 Form 1023 for Translator TV, Inc.

9 MR. COHEN: I have 11, Your Honor, as the next one.  
10 Am I in error?

11 JUDGE CHACHKIN: Bureau Exhibit 11 has been  
12 received.

13 MR. COHEN: Thank you. Twelve, too?

14 JUDGE CHACHKIN: Twelve has also been received.

15 MR. COHEN: Thank you.

16 JUDGE CHACHKIN: Thirteen is the next one.

17 MR. TOPEL: It's the same argument that was made  
18 with respect to Glendale's offer of information filed with the  
19 Internal Revenue Service. I have nothing to add to that.  
20 You've ruled.

21 JUDGE CHACHKIN: All right, Bureau Exhibit 13 is  
22 received.

23 (Whereupon, the document previously  
24 marked for identification as Bureau  
25 Exhibit 13 was received into

1 evidence.)

2 JUDGE CHACHKIN: Sixteen? Objection to that?

3 MR. TOPEL: Not, not in light of the rulings you've  
4 made, Your Honor.

5 JUDGE CHACHKIN: All right, Bureau Exhibit 16 is  
6 received.

7 (Whereupon, the document previously  
8 marked for identification as Bureau  
9 Exhibit 16 was received into  
10 evidence.)

11 JUDGE CHACHKIN: Eighteen. Is there -- I need to --  
12 I, I think standing alone the document is irrelevant. If the  
13 Bureau represents that it intends to tie it up or try to tie  
14 up somehow, I would reserve my right to move to strike it.

15 MR. SHOOK: We so intend, Your Honor.

16 JUDGE CHACHKIN: All right, Bureau Exhibit 18 is  
17 received.

18 (Whereupon, the document previously  
19 marked for identification as Bureau  
20 Exhibit 18 was received into  
21 evidence.)

22 JUDGE CHACHKIN: Now we have 21.

23 MR. COHEN: Has 20 been admitted, Your Honor?

24 JUDGE CHACHKIN: Twenty-one was received, yes --

25 MR. COHEN: Twenty.

1 JUDGE CHACHKIN: Twenty was received, yes.

2 MR. COHEN: Thank you.

3 JUDGE CHACHKIN: Twenty-one.

4 MR. TOPEL: I, I will withdraw my objection subject  
5 to it being tied. Neither of the parties to this letter are  
6 witnesses, to my knowledge, but if the Bureau is going to  
7 intend to tie it. Again, on, on its face, I don't think it  
8 relates to the, the points that I've made about the filing of  
9 minority certification and de facto control but, but I, I will  
10 withdraw an objection subject to it being tied.

11 JUDGE CHACHKIN: Bureau Exhibit 21 is received.

12 (Whereupon, the document previously  
13 marked for identification as Bureau  
14 Exhibit 21 was received into  
15 evidence.)

16 JUDGE CHACHKIN: Twenty-two? Now, this is directed  
17 to Miss Duff at TBN. Any objection?

18 MR. TOPEL: Yes, Your Honor. Let, let me, let me  
19 say that, that, obviously, as we, as we started this morning,  
20 it, it is not our view of relevance that everything that  
21 Mrs. Duff did is necessarily relevant to the issues in this  
22 case, and we would think that this occurring so far before the  
23 minority preferences and so far the de -- so, so far before  
24 there being any operating authorizations doesn't relate to the  
25 designated issues but, again, you've ruled on my position, so

1 subject to it being tied up I have no problem.

2 JUDGE CHACHKIN: Bureau Exhibit 22 is received.

3 (Whereupon, the document previously  
4 marked for identification as Bureau  
5 Exhibit 22 was received into  
6 evidence.)

7 JUDGE CHACHKIN: Bureau Exhibit 23?

8 MR. TOPEL: Oh, I'm --

9 JUDGE CHACHKIN: It's a letter from Mr. Dunne to  
10 Miss Duff.

11 MR. TOPEL: Yeah, it's in the same category,  
12 Your Honor.

13 JUDGE CHACHKIN: Bureau Exhibit 23 is received.  
14 (Whereupon, the document previously  
15 marked for identification as Bureau  
16 Exhibit 23 was received into  
17 evidence.)

18 JUDGE CHACHKIN: Twenty-four?

19 MR. TOPEL: Yes, Your Honor, I would object to this  
20 document as, as irrelevant. The -- this is a telephone  
21 extension list of TBN that I believe the deposition testimony  
22 during one of the days that Mr. Shook was not present, in his  
23 defense, or in his support -- but, but this, this dates back  
24 to the mid-1970's, it is my recollection, and, and I don't, I  
25 don't know how Mr. Shook plans to tie this up to something

1 that's not already cumulatively in the record. There is  
2 testimony about the relationships of all the various directors  
3 to TBN. That's certainly not something that's being hidden in  
4 our case, and I, I just don't think this document is probative  
5 of anything of value.

6 JUDGE CHACHKIN: Mr. Shook?

7 MR. SHOOK: Well, Your Honor, this was to show who  
8 was -- who at Trinity was in the picture at the point in time  
9 we believe this document was put together, and we believe it  
10 was sometime either in 1979 or 1980, and our thought is that  
11 it was sometime in 1980, and in that regard, this is simply to  
12 give you an idea of who the various players are, and in some  
13 respects I will, I will say that it is cumulative of other  
14 material but it is illustrative of various individuals. For  
15 example, the upper left, accounting personnel, the first name  
16 that appears is Bill Phipps. Well, Bill Phipps is a person  
17 who comes into the picture a number of times during the period  
18 of late 1980, because he's the person who is handling  
19 Trinity's budget --

20 JUDGE CHACHKIN: Well, let me just ask you one  
21 question before you go on. My concern is there's no date on  
22 it. Where, where did this document come from?

23 MR. TOPEL: It was produced in discovery in the  
24 case.

25 JUDGE CHACHKIN: But there was nothing, no date,

1 placed on it when this --

2 MR. TOPEL: Apparently not.

3 JUDGE CHACHKIN: Well, do you have in your  
4 possession the original showing the date?

5 MR. TOPEL: I don't -- this would be -- I don't  
6 think there's anything more to the document than this. There  
7 was certainly -- everything we had was produced.

8 MR. COHEN: I think I can be helpful, Your Honor.

9 JUDGE CHACHKIN: Go ahead, Mr. Cohen.

10 MR. COHEN: I think I can be helpful. As Mr. Topel  
11 accurately pointed out, this document was used in deposition.  
12 It was used in connection with the deposition of  
13 Armando Ramirez.

14 MR. TOPEL: Right.

15 MR. COHEN: And he identified -- and now I'm relying  
16 on my recollection, I don't have the deposition in front of  
17 me, Your Honor, but I think his -- he, he identified this  
18 document as being prepared in the late seventies-ish, and he  
19 will be available for testimony, so he can be examined on that  
20 document.

21 MR. TOPEL: Yeah. My only -- I don't know that it  
22 adds anything --

23 JUDGE CHACHKIN: Well, it does in one document put  
24 in, put into place who the persons were and what positions  
25 they were, and what positions they held, and it's useful for

1 that nature. It's -- it shows the telephone extensions of the  
2 various persons involved in different aspects involved in TBN.

3 MR. TOPEL: Well, I guess my, my only --

4 MR. COHEN: Well, I can be helpful. It has to be  
5 post-19 -- it has to be at least 1979 or '80 because Jane Duff  
6 didn't become a vice president --

7 MR. TOPEL: That, that's correct.

8 MR. COHEN: -- of TBN until, I believe the record  
9 will reflect, the latter part of 1979 or early '80?

10 MR. TOPEL: I think that's right and --

11 MR. COHEN: So we know then -- we know that it has  
12 to be at least as of that date.

13 MR. TOPEL: Yeah. My, my concern, Your, Your Honor,  
14 I guess, is just the extent of examination this document might  
15 warrant because the fact that someone has a telephone  
16 extension doesn't, of course, mean that they're a full-time  
17 fixture at TBN, and, and the, the background evidence that we  
18 offered showing that a lot of these directors did other things  
19 has been excluded from the record, and I would be concerned  
20 if, if inferences were drawn that, for example, Pastor  
21 Ramirez, I think his testimony does indicate that he is the  
22 full-time pastor of El Silloway Church, but I'm not sure if  
23 his testimony continues to reflect that he was the full-time  
24 pastor of El Silloway Church from 1979 until the present, and  
25 the time he spent at TBN, to put in context fairly, was he

1 put -- he was involved in one or two programs of, what, an  
2 hour or two a week during that period. So I, I'm concerned  
3 that, that the document could be misleading standing alone and  
4 I'm just questioning whether it justifies a lot of examination  
5 since, as Mr. Shook said, it's cumulative.

6 JUDGE CHACHKIN: I'll, I'll overrule your objection.  
7 TBN Exhibit -- I mean, Bureau Exhibit 24 is received.

8 (Whereupon, the document previously  
9 marked for identification as Bureau  
10 Exhibit 24 was received into  
11 evidence.)

12 JUDGE CHACHKIN: Twenty-five?

13 MR. TOPEL: Exhibit 25 I object to on the grounds of  
14 relevance. I, I, I just don't know the purpose of the offer.

15 JUDGE CHACHKIN: Well, let's find out.

16 MR. SHOOK: Your Honor, I would direct your  
17 attention to the first page. I will, I will state right now  
18 that pages 2, 3, and 4, the Bureau does not intend to rely on  
19 in terms of examination, but with respect to the first page,  
20 the second full paragraph, which I will say is a little bit  
21 difficult to read here because it's somewhat faded, but you  
22 will note that the second sentence of that paragraph -- well,  
23 I suppose it could be the third sentence. "We have filed new  
24 FCC applications for 25 more cities across America, and  
25 applications for 15 more are in preparation." The context of



1 this, and it is our understanding, that the "we" would be  
2 inclusive of both Trinity and Translator TV because of the  
3 number of applications filed and when they were filed.

4 MR. TOPEL: Excuse me, where is that language,  
5 Mr. Shook?

6 JUDGE CHACHKIN: Yeah, where is the language? Where  
7 is the language?

8 MR. SHOOK: Okay.

9 MR. TOPEL: I don't see.

10 MR. SHOOK: After "beloved partners," the second  
11 paragraph, the first sentence there reads, "Last year, 1980,  
12 saw" et cetera.

13 MR. TOPEL: Oh, I see it.

14 MR. SHOOK: Then if you move to, probably, what is  
15 the third sentence, because if you count "Praise the Lord" as  
16 a sentence that would be the second sentence, the third  
17 sentence reads, "We have filed new FCC applications for 25  
18 more cities across America, and applications for 15 more are  
19 in preparation."

20 MR. TOPEL: Okay. I've got -- subject to it being  
21 tied up on examination, I have no objection.

22 JUDGE CHACHKIN: All right, Bureau Exhibit 25 is  
23 received.

24 (Whereupon, the document previously  
25 marked for identification as Bureau

1 Exhibit 25 was received into  
2 evidence.)

3 JUDGE CHACHKIN: Objection to Bureau Exhibit 26,  
4 which is a minutes of an annual meeting of TBN, do you object  
5 to that?

6 MR. TOPEL: I do, Your Honor, the -- on the issue of  
7 loans to various organizations, we have provided a stipulation  
8 on that, that issue. We were requested to do so, and other  
9 than that I don't, I don't particularly see any relevance to  
10 the document. I mean, I suppose if -- you, you've ruled on  
11 this kind of thing. Perhaps Mr. Shook could, could indicate  
12 and we could get a blanket ruling, because I do have a lot of  
13 objections to a lot of TBN minutes that --

14 JUDGE CHACHKIN: All right. Mr. Shook?

15 MR. SHOOK: Your Honor, we are concerned in  
16 establishing a course of conduct with respect to TBN and its  
17 dealings with other organizations. Some of those  
18 organizations are covered in the stipulation. Unfortunately,  
19 the stipulation did not go into the dealings between TBN and  
20 other corporations with the Trinity name, such as Trinity  
21 Broadcasting of Florida, Trinity Broadcasting of New York, et  
22 cetera, and in this particular exhibit what we have is the  
23 start of consideration by TBN of matters concerning Trinity  
24 Broadcasting of Indiana.

25 JUDGE CHACHKIN: Bureau Exhibit 26 is received.

1 (Whereupon, the document previously  
2 marked for identification as Bureau  
3 Exhibit 26 was received into  
4 evidence.)

5 JUDGE CHACHKIN: Twenty-seven?

6 MR. TOPEL: Okay, Your Honor, this comes under the  
7 objections we have made regarding the tax-exempt application.  
8 This is a -- this is correspondence regarding the preparation  
9 of tax-exempt -- application for tax exemption, so it's, it's  
10 within your prior rulings.

11 JUDGE CHACHKIN: Bureau Exhibit 27 is received.

12 (Whereupon, the document previously  
13 marked for identification as Bureau  
14 Exhibit 27 was received into  
15 evidence.)

16 JUDGE CHACHKIN: Bureau Exhibit 29?

17 MR. TOPEL: Okay, I think this is in the category of  
18 one we addressed --

19 JUDGE CHACHKIN: Bureau Exhibit 29 is --

20 MR. TOPEL: -- earlier, Your Honor. I, I, I gather  
21 the Bureau is going to try -- attempt to tie this on, on  
22 examination. I have no objection if it's tied.

23 JUDGE CHACHKIN: Bureau --

24 MR. SHOOK: We will certainly endeavor.

25 JUDGE CHACHKIN: All right, Bureau Exhibit 29 is

1 received.

2 (Whereupon, the document previously  
3 marked for identification as Bureau  
4 Exhibit 29 was received into  
5 evidence.)

6 JUDGE CHACHKIN: Bureau Exhibit 30?

7 MR. TOPEL: This comes under the tax exempt. You've  
8 overruled my objection.

9 JUDGE CHACHKIN: Bureau Exhibit 30 is, is received.  
10 (Whereupon, the document previously  
11 marked for identification as Bureau  
12 Exhibit 30 was received into  
13 evidence.)

14 JUDGE CHACHKIN: The next one is 31.

15 MR. TOPEL: Yes, the same thing, Your Honor.

16 JUDGE CHACHKIN: Bureau Exhibit 31 is received.

17 (Whereupon, the document previously  
18 marked for identification as Bureau  
19 Exhibit 31 was received into  
20 evidence.)

21 JUDGE CHACHKIN: The next one is --

22 MR. TOPEL: Well, Your Honor, back, back up. On, on  
23 31 --

24 JUDGE CHACHKIN: Yes?  
25

MR. TOPEL: I'm a little concerned because we --

1 MR. SHOOK: Your Honor, if I may, I believe this --  
2 maybe it's even identical to one of Glendale's exhibits. I  
3 seem to remember --

4 MR. COHEN: I think that's the case.

5 MR. TOPEL: There were several versions of this  
6 response, and --

7 MR. COHEN: Can I -- Your Honor, can I explain this?  
8 And I think then we can arrive at an agreement among the  
9 parties.

10 JUDGE CHACHKIN: Go ahead.

11 MR. COHEN: Okay. I learned this from the  
12 deposition. Apparently, the problem is the date. The  
13 document, one, one response was dated January '80, and one was  
14 dated January '81, I think. Isn't that the problem?

15 MR. TOPEL: No, well, there were, there were two  
16 problems. One, where there was a problem in the Internal  
17 Revenue Service --

18 MR. COHEN: Yes.

19 MR. TOPEL: -- that failed to roll its date stamp,  
20 and so it was using the year, year January 1980, when it  
21 should have been using January 1981.

22 MR. COHEN: Exactly, exactly, that's it.

23 MR. TOPEL: I think that problem lives in your  
24 exhibit, Mr. Cohen but so be it. The, the second is that  
25 there were two drafts of this particular response and I

1 believe Mr. Cohen's initial exchange had both of them, and I  
2 made a note to myself there that we ought to use the one that  
3 was actually the response if, if it's going --

4 MR. COHEN: I agree.

5 MR. TOPEL: -- to be received.

6 JUDGE CHACHKIN: Which one is the actual response?

7 MR. TOPEL: I think it's the, the -- would be the,  
8 the later one, I think.

9 MR. COHEN: I agree with you.

10 JUDGE CHACHKIN: Which is which?

11 MR. TOPEL: I'd have to --

12 JUDGE CHACHKIN: Thirty-one?

13 MR. SHOOK: Well, Your Honor --

14 MR. TOPEL: No, it would -- 31 is an unsigned one  
15 and, and --

16 JUDGE CHACHKIN: Oh, I see. Is there one with a,  
17 with a --

18 MR. TOPEL: -- there, there is an actual signed one.

19 MR. SHOOK: Your Honor, we can withdraw Exhibit 31.

20 JUDGE CHACHKIN: All right, Bureau Exhibit 31 has  
21 been withdrawn.

22 (Whereupon, the document previously  
23 marked for identification and  
24 received into evidence as Bureau  
25 Exhibit 31 was withdrawn.)

1 JUDGE CHACHKIN: The next one is 35.

2 MR. TOPEL: Okay, this comes, again, under the tax  
3 exempt application matter.

4 JUDGE CHACHKIN: Bureau Exhibit 35 is received.  
5 (Whereupon, the document previously  
6 marked for identification as Bureau  
7 Exhibit 35 was received into  
8 evidence.)

9 JUDGE CHACHKIN: Thirty-six, is that similar? It  
10 looks like it. Thirty-six will also be received.

11 MR. TOPEL: Yeah.

12 JUDGE CHACHKIN: There is a response there. Is that  
13 the one that --

14 MR. TOPEL: No, that, that's a different one and I  
15 am -- that, that, that's unsigned. I don't know if we ever  
16 had a signed copy. Maybe Mr. Shook can help me, but I know on  
17 the earlier one there were signed copies, the one that's been  
18 withdrawn.

19 JUDGE CHACHKIN: This is June '81 now.

20 MR. TOPEL: Excuse me?

21 JUDGE CHACHKIN: This is June '81 that you've opened  
22 up.

23 MR. TOPEL: Yeah. Yeah.

24 MR. SHOOK: Where possible, Your Honor, we  
25 endeavored to include signed copies. Unfortunately, we

1 | couldn't always find signed copies.

2 | JUDGE CHACHKIN: All right, I will receive Bureau  
3 | Exhibit 36; Bureau Exhibit 36 is received.

4 | (Whereupon, the document previously  
5 | marked for identification as Bureau  
6 | Exhibit 36 was received into  
7 | evidence.)

8 | JUDGE CHACHKIN: Now we're at 42.

9 | MR. TOPEL: In -- subject to being tied up, I  
10 | withdraw my objection.

11 | JUDGE CHACHKIN: Bureau Exhibit 42 is received.  
12 | (Whereupon, the document previously  
13 | marked for identification as Bureau  
14 | Exhibit 42 was received into  
15 | evidence.)

16 | JUDGE CHACHKIN: All right, 44. Any objection?

17 | MR. TOPEL: I'll state it on the record, Your Honor.  
18 | I, I, I think the law of the case is established on the  
19 | receipt of TBN minutes, and I understand -- think, well,  
20 | some -- let me see, can I have 1 second with this?

21 | JUDGE CHACHKIN: Yes.

22 | (Pause.)

23 | MR. TOPEL: Well, if I'm correct, I understood the  
24 | Bureau's offer of this is to say something about the  
25 | relationship between TBN and Trinity Broadcasting of New



1 York --

2 MR. SHOOK: It is, Your Honor.

3 MR. TOPEL: -- and the history of that. It, it  
4 remains our position that that's not relevant to the control  
5 of NMTV.

6 JUDGE CHACHKIN: Bureau Exhibit 44 is received.

7 (Whereupon, the document previously  
8 marked for identification as Bureau  
9 Exhibit 44 was received into  
10 evidence.)

11 JUDGE CHACHKIN: Forty-five, which is another  
12 "Praise the Lord" newsletter.

13 MR. TOPEL: Yes, again, I would, I would ask that  
14 Mr. Shook state the purpose of the offer.

15 MR. SHOOK: Your Honor, may we go off the record for  
16 1 second, please?

17 JUDGE CHACHKIN: Yes.

18 (Whereupon, a brief recess was taken.)

19 JUDGE CHACHKIN: -- the record.

20 MR. SHOOK: Your Honor, there are two aspects to  
21 this newsletter that we wish to bring into the record. The  
22 first is the references, and you will see them toward the  
23 bottom of the newsletter -- in fact, it appears on the  
24 second-to-last line -- TBN is representing to its supporters  
25 that the station in New York, which they ultimately, which TBN

1 ultimately, did through Trinity Broadcasting of New York  
2 obtain a license for, was going to reach, or have a potential  
3 to reach 16 million persons. In an application that was  
4 filed -- in applications that were filed with the FCC in 1987  
5 relative to the Odessa and Portland stations that National  
6 Minority acquired, one of the representations that TBN made  
7 was that the New York station reached only 200,000 households.  
8 Now, we would like to explore with Dr. Crouch the differences  
9 between the representation made, not only here but in other  
10 newsletters for several years thereafter, relative to the  
11 coverage of New York and the representations that were made to  
12 the FCC in the Odessa and Portland applications, and those  
13 representations were made in connection with National Minority  
14 TV telling the Commission that the interests of Paul Crouch  
15 were not going to run afoul of the national multiple ownership  
16 rule. The second aspect of this newsletter that we wish to  
17 have as part of the record appears on the second page, and  
18 that is the -- an awareness, a knowledge, on the part of  
19 Paul Crouch how many stations TBN and its affiliates, in this  
20 case it would be Trinity Broadcasting of New York, have or  
21 will have, and in this case there is a -- let's see if I can  
22 find it here -- oh, Your Honor, it would be about one-third  
23 down on the page, and it begins, the paragraph begins,  
24 "Partners, will you go with us one more time? This would be  
25 station number six. Only one more to go," et cetera. The

1 thought here is that this is one of the pieces of evidence  
2 that establishes Paul Crouch's awareness of what the multiple  
3 ownership limitations are and how -- you know, what  
4 problems -- or how to deal with those limitations as the years  
5 passed.

6 MR. TOPEL: I'll, I'll withdraw my -- I mean, I will  
7 withdraw my objection subject to it being tied on examination.

8 JUDGE CHACHKIN: Bureau Exhibit 45 is received.

9 (Whereupon, the document previously  
10 marked for identification as Bureau  
11 Exhibit 45 was received into  
12 evidence.)

13 JUDGE CHACHKIN: Forty-eight? Forty-six. I'll  
14 receive 46.

15 MR. TOPEL: Yes.

16 (Whereupon, the document previously  
17 marked for identification as Bureau  
18 Exhibit 46 was received into  
19 evidence.)

20 JUDGE CHACHKIN: Then we go on to 51.

21 MR. TOPEL: For that one -- 51, I don't -- have I  
22 not stated a position on 51?

23 JUDGE CHACHKIN: Yes, you have. Bureau Exhibit 51  
24 is received.

25

(Whereupon, the document previously

1 marked for identification as Bureau  
2 Exhibit 51 was received into  
3 evidence.)

4 JUDGE CHACHKIN: Fifty-two.

5 MR. TOPEL: The next one, I -- okay, 52 should have  
6 been in my list of matters to which we don't object to their  
7 being tied. I apologize if it wasn't.

8 JUDGE CHACHKIN: Bureau Exhibit 52 is received.  
9 (Whereupon, the document previously  
10 marked for identification as Bureau  
11 Exhibit 52 was received into  
12 evidence.)

13 JUDGE CHACHKIN: Fifty-four? What is there in this  
14 newsletter?

15 MR. SHOOK: Your Honor, we've now hit the first  
16 national multiple ownership limitation, that is, number seven.  
17 Seattle/Takoma is going to be station number seven. They're  
18 just about to obtain, or I believe, I guess, at this point  
19 they've signed a contract for it, and 54 also becomes  
20 important from the standpoint of being able to tie in a  
21 reference in a later newsletter which talks about Seattle, but  
22 there's a problem with the date, and I can bring you to that  
23 immediately so you'll know what I'm talking about. That's  
24 Exhibit 56. If you look at 56, the third page, it reads,  
25 "Praise-a-thon '82 Projects" on the top, and there might be

1 some question as to whether or not this page and the following  
2 pages belong with this newsletter, and, I believe -- now I'm  
3 not sure if I'm going to be able to establish it in, in  
4 anyone's testimony but I believe that this really should have  
5 been "Praise-a-thon '83" not "Praise-a-thon '82" projects, and  
6 then the following projects tie into this, and one way to see  
7 that is when you move to page 4 of our exhibit, you will  
8 notice down at the bottom right-hand corner, there is a  
9 reference to Seattle, and that reference could not have been  
10 there if this were really a, you know, "Praise-a-thon '82"  
11 matter.

12 MR. TOPEL: Which -- I'm sorry, where, where is the  
13 reference to Seattle that's in Exhibit --

14 MR. SHOOK: It's in Exhibit 56, the fourth page of  
15 our exhibit, the bottom right-hand corner.

16 MR. TOPEL: I see. I see.

17 MR. SHOOK: And so the principal reason why I have  
18 54 in is just to establish that what appears in Exhibit 56 is  
19 appropriate -- you know, appropriately belongs with  
20 Exhibit 56.

21 MR. TOPEL: Well, that's, that's fair enough. Let  
22 me say, Your Honor, I -- subject to it being tied -- in fact,  
23 I'll off the record undertake to see if I can help Mr. Shook  
24 out to save some hearing room time for, for all of us, but I  
25 withdraw my objection subject to it being -- subject to -- I

1 guess we're talking about 54 being tied.

2 JUDGE CHACHKIN: Bureau Exhibits 54 and 56 are  
3 received.

4 (Whereupon, the documents previously  
5 marked for identification as Bureau  
6 Exhibits 54 and 56 were received into  
7 evidence.)

8 MR. TOPEL: My notes were that I had not objected to  
9 56, Your Honor. Had, had you not -- had I not indicated that  
10 to you?

11 JUDGE CHACHKIN: No, you had not.

12 MR. TOPEL: I apologize.

13 JUDGE CHACHKIN: All right, 57? I'll receive 57.

14 (Whereupon, the document previously  
15 marked for identification as Bureau  
16 Exhibit 57 was received into  
17 evidence.)

18 JUDGE CHACHKIN: Fifty-eight also relates minutes of  
19 a meeting or a meeting. I'll receive that.

20 (Whereupon, the document previously  
21 marked for identification as Bureau  
22 Exhibit 58 was received into  
23 evidence.)

24 JUDGE CHACHKIN: Sixty is another newsletter.

25 MR. TOPEL: Your Honor, with your indulgence, and

1 obviously you'll cut me off if I'm out of line, I, I don't  
2 understand --

3 JUDGE CHACHKIN: Fifty-eight?

4 MR. TOPEL: -- the 57 and 58 minutes because they  
5 don't relate to relationships with other affiliates.

6 JUDGE CHACHKIN: Well, let's find out from the  
7 Bureau.

8 MR. TOPEL: All right.

9 JUDGE CHACHKIN: Fifty-seven and fifty-eight.

10 MR. SHOOK: Your Honor, there is testimony in  
11 Colby May's exhibit that brings to the fore this date, May 27,  
12 1983. On this date, the FCC's lottery report and order came  
13 out and described what preferences would be given for  
14 applicants who were going to be involved in a low-power  
15 lottery. One of those preferences was a diversification  
16 preference. The activities that take place in Exhibits 57 and  
17 58 tie into that.

18 MR. TOPEL: Well, I, I certainly don't think that  
19 that's been established. It may, may tied into Mr. Shook's  
20 theory of something.

21 JUDGE CHACHKIN: Well, we'll see subject --

22 MR. TOPEL: Okay.

23 JUDGE CHACHKIN: I will, I will receive it subject  
24 to being tied in.

25

MR. COHEN: What exhibit is that, Your Honor?

1 JUDGE CHACHKIN: Fifty-seven and fifty-eight.

2 MR. COHEN: What -- did you admit 55?

3 JUDGE CHACHKIN: Fifty-five was received, yes.

4 There was no objection to it -- well, I did receive it. There  
5 was objection and I received it. We're now at 60, which is  
6 another newsletter. What, what in this document is relevant?

7 MR. SHOOK: Again, Your Honor, it is simply the  
8 reference to New York and the number of people that the  
9 station can reach, and that appears on the second page.

10 JUDGE CHACHKIN: Bureau Exhibit 60 is received.

11 (Whereupon, the document previously  
12 marked for identification as Bureau  
13 Exhibit 60 was received into  
14 evidence.)

15 JUDGE CHACHKIN: Next one is Bureau Exhibit 61.

16 MR. TOPEL: Your Honor, is it -- is my understanding  
17 correct that, that these documents, then, are, are limited for  
18 the purpose for which they're used on examination?

19 JUDGE CHACHKIN: Yes.

20 MR. TOPEL: That's my objection.

21 JUDGE CHACHKIN: Yes, they are.

22 MR. TOPEL: Okay, because otherwise --

23 MR. SHOOK: I can represent that with -- and

24 certainly with respect to this exhibit, for example, there  
25 would be absolutely no other purpose for which we would use



1 that.

2 MR. TOPEL: Yeah.

3 JUDGE CHACHKIN: All right.

4 MR. TOPEL: Because otherwise I, obviously, have a  
5 massive amount of material to try to figure out.

6 JUDGE CHACHKIN: Oh, I understand that. Sixty-one?

7 MR. TOPEL: Once --

8 MR. SHOOK: Your Honor, if I may, also with respect  
9 to 60, I wish to bring to your attention a listing of stations  
10 that appears at the top on the first page. The Bureau would  
11 also make reference to that.

12 MR. TOPEL: That's on 60?

13 MR. SHOOK: Yes.

14 MR. TOPEL: Okay. Your Honor, I don't -- give me  
15 one second, Your Honor, with 61. I don't --

16 (Pause.)

17 MR. TOPEL: Oh, I have no objection to this subject  
18 to it being tied up.

19 JUDGE CHACHKIN: All right, 61 is received.

20 (Whereupon, the document previously  
21 marked for identification as Bureau  
22 Exhibit 61 was received into  
23 evidence.)

24 MR. TOPEL: If I may ask Mr. Shook, isn't there  
25 description of this document in the stipulation?